

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION AT LAFAYETTE**

CHARLES M. RILEY,	)	
Plaintiff,	)	
	)	
v.	)	CAUSE NO.: 4:14-CV-63-JD-PRC
	)	
BOARD OF COMMISSIONERS OF	)	
TIPPECANOE COUNTY and	)	
TIPPECANOE COUNTY SHERIFF'S	)	
DEPARTMENT,	)	
Defendants.	)	

**OPINION AND ORDER**

This matter is before the Court on a Motion to Compel and for Modification of Discovery Deadlines [DE 30], filed by Defendants Tippecanoe County Sheriff's Department and Board of Commissioners of Tippecanoe County on September 28, 2016.

On February 4, 2016, the Court entered a Scheduling Order setting the deadline for the exchange of initial disclosures for March 26, 2016. As of the date of the instant motion, Plaintiff had not provided initial disclosures to Defendants.

On February 11, 2016, Defendants served Plaintiff with Interrogatories under Federal Rule of Civil Procedure 33 and Requests for Production of Documents under Federal Rule of Civil Procedure 34. Those responses were due on March 14, 2016. As of the date of the instant motion, Defendants received only an unsigned copy of the Interrogatory responses and a response to the Request for Production accompanied by a blank DVD.

Pursuant to Northern District of Indiana Local Rule 37-1, Defendants made a good faith effort to obtain discovery responses prior to seeking the Court's assistance.

Plaintiff has not responded to the instant motion, and the time to do so has passed.

The Court finds that the motion is well taken as to the outstanding discovery production.

However, to the extent Defendants find the response to certain Interrogatories deficient, Defendants admit that they have not yet conferred with Plaintiff regarding the deficiencies. Therefore, the motion as to the deficient responses is premature.

Accordingly, the Court hereby **GRANTS in part** and **DENIES in part as premature** the Motion to Compel and for Modification of Discovery Deadlines [DE 30] and **ORDERS** Plaintiff to serve Defendants with (1) initial disclosures, (2) signed answers to Interrogatories, and (3) provide the documents requested in the Request for Production on or before **October 26, 2016**. The Court encourages the parties to attempt to resolve Defendants' concerns regarding the sufficiency of certain interrogatory answers.

The Court further **ORDERS** that the fact discovery deadline is extended to **December 1, 2016**, the deadline for Defendant's expert disclosures is extended to **December 1, 2016**, and the expert discovery deadline is extended to **January 4, 2016**.

Pursuant to Federal Rule of Civil Procedure 37(a)(5)(A), the Court **ORDERS** Plaintiff to pay Defendants' reasonable costs, including attorney fees, incurred in bringing this motion. The Court **ORDERS** Defendant to **FILE** a verified statement of reasonable costs incurred in bringing the instant motion on or before **November 4, 2016**.

SO ORDERED this 19th day of October, 2016.

s/ Paul R. Cherry  
MAGISTRATE JUDGE PAUL R. CHERRY  
UNITED STATES DISTRICT COURT